

Senate Amendment 5466

Amendment Text

PAG LIN

1 1 Amend the amendment, [S-5151](#), to [Senate File 2221](#) as
1 2 follows:

1 3 #1. Page 1, line 13, by inserting after the word
1 4 "rate" the following: "per kilowatt hour".

1 5 #2. Page 1, by striking lines 15 through 18 and
1 6 inserting the following: "equivalent to the utility's
1 7 total annual average cost per kilowatt hour of
1 8 electricity for the year prior to the year in which
1 9 the utility entered into the contract for purchase of
1 10 the alternate energy. A utility's total annual
1 11 average cost per kilowatt hour shall be calculated by
1 12 dividing annual operating expenses by the total annual
1 13 number of kilowatt hours sold. This difference shall
1 14 be used to determine the alternate energy purchase tax
1 15 credit for the remainder of the term of the contract.
1 16 The tax credit shall not be less than zero."

1 17 #3. Page 1, by inserting after line 34 the
1 18 following:

1 19 "Sec. _____. Section [476.6](#), Code 1995, is amended by
1 20 adding the following new subsection:

1 21 NEW SUBSECTION. 22. ALTERNATE ENERGY PROMOTIONAL
1 22 RATES. The board shall require that electric
1 23 utilities offer to their customers the opportunity to
1 24 pay, on a voluntary basis, an alternate energy
1 25 promotional rate. This rate shall exceed the rate for
1 26 electricity otherwise payable and shall be designed
1 27 and encouraged by the electric utility to maximize
1 28 voluntary financial support for alternate energy
1 29 production. The alternate energy promotional rate
1 30 shall be filed as a tariff with the board pursuant to
1 31 section 476.4. Retaining only amounts approved by the
1 32 board for its administrative and marketing costs, the
1 33 electric utility shall remit that portion of the
1 34 electric rate attributable to the alternate energy
1 35 promotional rate to the state treasurer to be
1 36 allocated to the general fund of the state to offset
1 37 the cost of the alternate energy purchase tax credit
1 38 under section 422.51."

1 39 #4. Page 1, by inserting after line 42 the
1 40 following:

1 41 "Sec. _____. Section [476.42](#), subsection 4, paragraph
1 42 a, Code 1995, is amended to read as follows:

1 43 a. A hydroelectric facility at a dam located
1 44 within this state."

1 45 #5. Page 2, line 25, by striking the word "may"
1 46 and inserting the following: "shall".

1 47 #6. Page 2, line 27, by inserting after the word
1 48 "rate." the following: "An alternate energy contract
1 49 shall require that the utility pay the competitive bid
1 50 rate to the facility during the contract term."

2 1 #7. Page 2, line 36, by inserting after the word
2 2 "including" the following: ", but not limited to,".

2 3 #8. Page 2, line 40, by inserting after the word
2 4 and figure "subsection 1" the following: "or which
2 5 obstructs the policy of this state as stated in
2 6 section 476.41".

2 7 #9. Page 2, line 42, by striking the word "amount"

2 8 and inserting the following: "total project capital
2 9 cost".

2 10 #10. Page 3, line 18, by inserting before the word
2 11 "rate" the following: "kilowatt hour".

2 12 #11. Page 3, by striking lines 19 through 27 and
2 13 inserting the following: "process and the rate that
2 14 is equivalent to the utility's total annual average
2 15 cost per kilowatt hour of electricity for the year
2 16 prior to the year in which the utility entered into
2 17 the contract for purchase of the alternate energy as
2 18 determined under section 422.51, subsection 5."

2 19 #12. Page 3, line 40, by inserting after the
2 20 figure "476.43" the following: "and pursuant to
2 21 timelines established under paragraph "c". For
2 22 purposes of this section, "megawatt" shall be
2 23 determined in accordance with a utility's average
2 24 capacity. "Average capacity" means a utility's total
2 25 output over a year divided by the number of hours in
2 26 the year."

2 27 #13. Page 4, line 19, by inserting after the word
2 28 "technologies." the following: "Of the eighty-five
2 29 percent, thirty percent shall be purchased in
2 30 accordance with the following:

2 31 (1) At least ten percent shall be from dedicated
2 32 energy crops grown within the state, fifty percent of
2 33 which shall be from projects of five hundred kilowatts
2 34 or less.

2 35 (2) At least ten percent shall be from
2 36 agricultural wastes produced from agricultural crops
2 37 grown within the state, fifty percent of which shall
2 38 be from projects of five hundred kilowatts or less.

2 39 (3) At least ten percent shall be from small scale
2 40 wind generation projects located within the state of
2 41 two hundred fifty kilowatts or less.

2 42 c. By December 31, 1997, the board shall require
2 43 an electric utility to enter into contracts for the
2 44 purchase of the utility's allotted share of eighty-
2 45 nine megawatts of electricity generated from alternate
2 46 energy production facilities, and by July 1, 1999, the
2 47 board shall require the utility to enter into
2 48 contracts for the purchase of the utility's allotted
2 49 share of an additional one hundred five megawatts."

2 50 #14. Page 4, by striking lines 23 through 37.

3 1 #15. Page 4, line 45, by inserting after the word
3 2 "Act." the following: "In addition, this Act shall
3 3 not affect potential contracts between alternate
3 4 energy production facilities and electric utilities if
3 5 a petition relating to the potential contracts has
3 6 been filed by January 1, 1996, and an action is
3 7 currently pending before the Iowa utilities board.
3 8 For purposes of the pending actions, the Iowa
3 9 utilities board shall not take into account the
3 10 changes contained in this Act."

3 11 #16. Page 4, by inserting after line 45 the
3 12 following:
3 13 "Sec. _____. It is the intent of the general
3 14 assembly that persons who have proceeded in good faith
3 15 under the terms and conditions of sections 476.43 and
3 16 476.44, prior to their amendment by this Act, not
3 17 suffer economic loss as a result of this Act. These
3 18 persons shall be reimbursed by the utilities for their
3 19 reasonable good faith development costs as determined
3 20 by the Iowa utilities board."

3 21 #17. By renumbering as necessary.
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3 23
3 24 _____

3 25 BILL [FINK](#)
3 26
3 27
3 28 _____
3 29 MICHAEL E. [GRONSTAL](#)
3 30
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3 32 _____
3 33 MARY [LUNDBY](#)
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3 36 _____
3 37 MARY LOU [FREEMAN](#)
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3 40 _____
3 41 PATRICK J. [DELUHERY](#)
3 42 [SF 2221.3](#)05 76
3 43 js/cf